

MINUTES OF THE BRIDGEWATER TOWNSHIP COUNCIL
SEPTEMBER 17, 2018 COUNCIL CHAMBERS

The Township Council of the Township of Bridgewater, County of Somerset, State of New Jersey, convened in a regular session on Monday, September 17, 2018 at 7:30 p.m. in Council Chambers in the Municipal Complex, Bridgewater, New Jersey 08807.

Acting President Moench read the following announcement:

Notice of Meeting

In compliance with the Open Public Meetings Act of New Jersey, adequate notice of this meeting was provided on January 9, 2018 by sending written and electronic notice to the Courier News and the Star Ledger, posting on the Township website and on the bulletin board in the Municipal Building, and filing with the Township Clerk.

On call of the roll, the following Council members were present:

Allen Kurdyla
Howard Norgalis
Filipe Pedroso
Council Vice President Matthew C. Moench
Council President Christine Henderson Rose (absent)

Also Present: James T. Naples, Township Administrator
 William B. Savo, Township Attorney
 Linda Doyle, Township Clerk

Acting President Moench led the audience in the Pledge of Allegiance.

Minutes

SEPTEMBER 6, 2018 - REGULAR SESSION

On motion of Councilman Kurdyla, seconded by Councilman Norgalis, the September 6, 2018 regular session minutes were moved for approval and passed unanimously on a voice call vote.

Council Reports

Councilman Kurdyla:

- Attended the New Jersey State Fire Man's convention in Wildwood. Prior to this convention, Councilman Kurdyla attended the wake of a long time member of this Fireman's association. During the viewing and testimonials, there was much discussion about this individual's service to his community, not only by being a volunteer in his local fire department but also his service to the community, governing body and the State of New Jersey where he served on advisory boards. His service was for well

over 50-years. Councilman Kurdyla added we are running out of people like that who are willing to volunteer. He appreciated the efforts of those that have gone before having served in our communities.

Councilman Norgalis:

- The Planning Board continues to meet in considering the Bridgewater Holdings application also known as Advance Realty. Additional applicant testimony was heard on September 11, 2018 concerning traffic, environmental, engineering and health issues. Input from the township planner and environmental consultant was reviewed which will require a response from the applicant. The next meeting is scheduled for September 17th.
- The fall Planning Board schedule will include hearings for four (4) hotels, two (2) of which are on Frontier Road and two (2) on Route 22 where the former Days Inn was located.
- Councilman Norgalis attended the ribbon cutting for Lands' End store at Chimney Rock. He learnt the new marketing term known as 'Influencers'. Instead of paying a popular industry leader for advertising, companies, including Lands' End focus on identifying bloggers and influential journalists and engaging them to create media coverage.
- Councilman Norgalis received a complaint about car dealerships on the North Side of Route 22 parking on the grass in front of the setback. He took a ride along the road and found the following between Open Road BMW, Auto sport Honda and Bridgewater Acura; there were sixteen cars parked in the front lawn. Bridgewater VW also had a brightly colored van that has been sited on the grass for months. Councilman Norgalis stated he has asked James Naples, Township Administrator for help on this issue. He has also asked Council president Rose for a brief Council discussion on this matter.

Councilman Pedroso:

- Nothing new to report.

Acting President Moench

- Concerning the hotel application that is before the Planning Board, he asked that Councilman Norgalis keep Council advised on the proceedings noting he is against Foothill Road connecting to Frontier Road.
- Attended the Library Advisory Board meeting where he raised concern about the role this Board plays with regard to approving allocation of funds from the County fine monies. Township Attorney Savo's office has submitted a memo since then which he has reviewed and will soon present his questions. At the time of the meeting, the Board took a vote on proposals to do some capital improvements to the children's center

and are also looking at some grant funding from PSE&G and the State.

- Attended the Community Day. Congressman Lance and Freeholders Mark Caliguire and Patrick Scaglione were in attendance.
- Councilman Moench advised that at the October 1st Council meeting, Council will have a discussion on youth services and municipal alliance committees in terms of looking at how those are appointed and their memberships.
- Councilman Moench advised he has forwarded some information to the Township Attorney's office regarding abandoned properties and programs that certain towns have utilized in order to take proactive steps on dealing with abandoned properties. He has asked Attorney Savo to determine what can and cannot be done in Bridgewater moving forward.

Mayor's Reports

Township Administrator Naples

- Nothing new to report

Discussion

COMMERCIAL SETBACK VIOLATIONS

Councilman Norgalis read the following statement:

One of the key ingredients in Mayor Hayes' 2018 budget addressed to the Council on February 15th was 'to be vigilant on land use issues' and the key part of the land use issues is the creation and maintenance of commercial setbacks as codified in various planning and zoning board approvals. Over the past years, it has become apparent that compliance with commercial setback limitations especially on the part of Auto dealerships along Route 22 and parking on the grass has not been taken seriously. According to Township administrator Naples, there is setback enforcement language embedded in our Ordinance but it is not crystal clear. I believe that the Mayor's vision needs Council help in the creation of Ordinance language that is both clear and enforceable.

Today's requirement for a hearing indicates in my opinion that our ordinances simply lacks the 'teeth' necessary to ensure that commercial owners and tenants fully respect and abide by letter of approval which allows them to operate in that location. I ask that the Council pursue this issue with the administration, township attorney and planner.

Councilman Norgalis explained that this issue goes back a few years. The dealerships, especially the new ones, continue to park vehicles on the front grass in violation of the setback. This issue is consistently brought to his attention by a resident who is an activist and usually, this matter is handled but after a few months, the dealerships go back to the same behavior.

Council was in consensus that Township Attorney Savo should review our

Ordinances to ensure language is tightened enough to allow for enforcement.

**Public
Comment**

On motion of Councilman Norgalis, seconded by Councilman Pedroso, the meeting was opened to the public.

Members of the public wishing to address the Council on any matter will be allowed two minutes to speak, unless there are unusual circumstances.

Dave Moeller who resides on Millers Lane was present and stated he has been a resident of Bridgewater since 1958. When he bought this property, he was advised Bob Haelig's property ran up to the back of his, thus Millers Lane was created. He stated Green Acres loaned the Freeholder's money to buy Bob Haelig's land for the Somerset County Park Commission. The parkland on the original paperwork had planned to construct a road off of Vosseller but that was not done. Instead, Mr. Moeller contends they came in and paved Millers Lane for access to the park. He stated although the park is beautiful, a bad element has come in. He advised many seem to be out of town people in their late teens through early twenties doing drugs and hanging out in the park through late evening. The only access to this area is through Millers Lane. His complaint is the traffic and speeding on Millers Lane. Mr. Moeller asked the Township to install speed bumps but due to this road being a private road, it does not afford the Township the right to install speed bumps.

Council Vice President Moench offered Mr. Moeller should discuss this matter further with Administration who could confer with legal. He also offered the police should continue to monitor this site more actively. The police cannot enforce speeding as it is a private road but they can enforce loitering. He suggested the Somerset County Park Officials should also be made aware in an effort to secure the area.

On motion of Councilman Norgalis, seconded by Councilman Pedroso, the public comment portion was closed.

Resolutions

There being no questions concerning the following resolutions, Acting President Moench called for a consent vote:

AWARD OF CONTRACT TO FOLEY INC. OF 855 CENTENNIAL AVE., PISCATAWAY, NEW JERSEY TO UTILIZE THE NJPA COOPERATIVE PRICING SYSTEM CONTRACT #NJPA 032515-CAT, TO PURCHASE A 2017 EXCAVATOR MODEL 308E2 CATERPILLAR IN THE AMOUNT OF \$110,123.00 TO BE FUNDED THROUGH THE 2018 CAPITAL FUND

AWARD OF CONTRACT UNDER STATE CONTRACT A88758 FOR ONE 2019 F350 EXTENDED CAB & CHASSIS TO WINNER FORD, 250 HADDONFIELD ROAD, CHERRY HILL NEW JERSEY AS AN APPROVED 2018 CAPITAL PURCHASE IN THE AMOUNT OF \$65,731.00

AWARD OF HVAC SERVICE CONTRACT FOR THE ADMINISTRATION BUILDING, PUBLIC WORKS BUILDING AND SENIOR CENTER TO AIR SYSTEMS MAINTENANCE INC. 718 JEFFERSON AVE. KENILWORTH NEW JERSEY FOR \$9,782.00

AWARD OF CONTRACT TO JTG CONSTRUCTION, 188 JEFFERSON STREET, SUITE 387, NEWARK, NJ 07105, FOR THE BWT-5 ROAD IMPROVEMENT PROJECT (HARDING ROAD & BYRD AVENUE), IN THE SUM OF \$266,850.72, FUNDED THROUGH THE 2018 CAPITAL FUND

AWARD OF CONTRACT TO YOUR WAY CONSTRUCTION, INC ., 404 COLT STREET IRVINGTON, NJ 07111, FOR THE ELM DRIVE ROAD IMPROVEMENT PROJECT, IN THE SUM OF \$227,935.15, FUNDED THROUGH THE 2018 CAPITAL FUND

AWARD OF CONTRACT TO TOP LINE CONSTRUCTION CORP., 22 FIFTH STREET SOMERVILLE, NJ 08876, FOR THE GARRETSON ROAD IMPROVEMENT PROJECT - SECTION VI (EASTON TURNPIKE TO HILL LANE), IN THE SUM OF \$771,367.59, FUNDED THROUGH THE 2018 CAPITAL FUND

AWARD OF CONTRACT TO TOP LINE CONSTRUCTION CORP., 22 FIFTH STREET SOMERVILLE, NJ 08876, FOR THE MORGAN LANE IMPROVEMENT PROJECT, IN THE SUM OF \$348,920.51, FUNDED THROUGH THE 2018 CAPITAL FUND

AWARD OF CONTRACT TO YOUR WAY CONSTRUCTION, INC., 404 COLT STREET IRVINGTON, NJ 07111, FOR THE MOUNTAINSIDE LANE IMPROVEMENT PROJECT, IN THE SUM OF \$290,781.21, FUNDED THROUGH THE 2018 CAPITAL FUND

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION UNDER THEIR 2018 "IT PAYS TO PLUG-IN" PROGRAM FOR THE PURCHASE/INSTALLATION OF TWO (2) DUAL PORT ELECTRIC VEHICLE CHARGING STATIONS IN THE AMOUNT OF \$12,000

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE SUSTAINABLE JERSEY GRANTS PROGRAM FOR ENERGY INITIATIVES FUNDED BY THE GARDINIER ENVIRONMENTAL FUND FOR THE

PURCHASE/INSTALLATION OF TWO (2) DUAL PORT ELECTRIC VEHICLE CHARGING STATIONS IN THE AMOUNT OF \$10,000

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION UNDER THEIR 2019 MUNICIPAL AID PROGRAM FOR THE GARRETSON ROAD IMPROVEMENT PROJECT (FROM BRIDGEWATER-RARITAN HIGH SCHOOL WESTERN BOUNDARY TO DOWNEY ROAD) IN THE AMOUNT OF \$402,000

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION UNDER THEIR 2019 MUNICIPAL AID PROGRAM FOR THE COUNTRY CLUB ROAD IMPROVEMENT PROJECT - SECTION X IN THE AMOUNT OF \$598,681

AUTHORIZING CHANGE OF SCOPE TO THE PROFESSIONAL SERVICES CONTRACT INCREASING THE AMENDED CONTRACT PRICE BY THE SUM OF \$3,920.00 FOR ADDITIONAL ENGINEERING AND CONSTRUCTION OBSERVATION SERVICES FOR THE COLONIAL WAY ROAD IMPROVEMENT PROJECT WITH KELLER & KIRKPATRICK, INC. FROM THE AMENDED CONTRACT PRICE OF \$47,540.00 TO \$51,460.00 FUNDED THROUGH THE 2016 CAPITAL FUND

AUTHORIZING CHANGE ORDER NO.2/FINAL CHANGE ORDER INCREASING THE AMENDED CONTRACT PRICE FROM \$493,329.40 TO \$512,166.40 AN INCREASE OF 3.82% OR \$18,837.00, AUTHORIZING ACCEPTANCE OF THE PROJECT, RELEASE OF THE PERFORMANCE BOND, ACCEPTANCE OF THE MAINTENANCE BOND, AND FINAL PAYMENT TO REIVAX CONTRACTING CORP., FOR THE COLONIAL WAY IMPROVEMENT PROJECT, FUNDED THROUGH THE 2017 CAPITAL FUND

REQUEST FOR WAIVER OF FIRE PERMIT FEE IN THE AMOUNT OF \$60 FOR THE BRIDGEWATER SENIORS COUNCIL AT 9 KISER LANE, BRIDGEWATER, NJ 08807, IN CONNECTION WITH A HINDU NEW YEAR EVENT HELD AT THE BRIDGEWATER-RARITAN MIDDLE SCHOOL ON OCTOBER 27, 2018 FROM 3 P.M. TO 11 P.M.

On motion of Councilman Norgalis, seconded by Councilman Kurdyla, the foregoing resolutions were proposed. The vote was as follows:

Councilman Kurdyla	Aye
Councilman Norgalis	Aye
Councilman Pedroso	Aye
Council Vice-President Moench	Aye
Council President Rose	Absent

THE RESOLUTIONS WERE ADOPTED.

Copies of resolutions [#18-09-17-240 thru #18-09-17-254](#) are appended to the official minutes

On the motion of Councilman Norgalis, seconded by Councilman Kurdyla, the meeting was adjourned at approximately 8:10 p.m.

Respectfully Submitted,

Linda J. Doyle, RMC
Municipal Clerk

Christine Henderson-Rose
Council President